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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION FOR REISSUE OF:

USP 5,929,466 to OHBA ET AL

: EXAMINER:

SERIAL NO. 08/874,299

:

FILED: HERewith

: GROUP ART UNIT:

FOR: SEMICONDUCTOR DEVICE AND METHOD OF FABRICATING THE SAME

37 CFR §1.175 REISSUE DECLARATION

ASSISTANT COMMISSIONER FOR PATENTS

WASHINGTON, D.C. 20231

SIR:

I. 37 CFR 1.172 Declaration by the Assignee

The written consent to this reissue application by the assignee owning the entire interest in the patent has been previously filed.

II. 37 CFR 1.175

A. 37 CFR 1.175(a)

1. 37 CFR 1.63(a)(1)

This declaration is executed in accordance with 37 CFR 1.68. Specifically, the undersigned have been warned that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001), and willful false statements may jeopardize the validity of this application or any patent issuing thereon. All of the undersigned's statements based upon personal knowledge are true, and all of the undersigned's statements made on information and belief are believed to be true.

2. 37 CFR 1.63(a)(2)

There are two inventors. The full name of the first inventor is Yasuo Ohba. The full name of the second inventor is Ako Hatano. Yasuo Ohba and Ako Hatano are joint inventors of the inventions claimed.

3. 37 CFR 1.63(a)(3)

Yasuo Ohba and Ako Hatano are both citizens of Japan.

4. 37 CFR 1.63(a)(4)

The inventors believe that they are the original and first inventors of the subject matter which is claimed and for which a patent is sought.

5. 37 CFR 1.63(b)(1)

This declaration is directed to the application for the reissue of U.S. 5,929,466, filed July 27, 2001.

6. 37 CFR 1.63(b)(2)

The inventors have each reviewed and understand the contents of the specification, including the claims, as amended in the reissue application filed July 27, 2001.

7. 37 CFR 1.63(b)(3)

The inventors each acknowledge their duty to disclose to the U.S. Patent Office all information known to him to be material to patentability as defined in 37 CFR 1.56.

8. 37 CFR 1.63(c)(1)

Yasuo Ohba's residence and Post Office address is 3-8-1-109 Hino Kounan-ku, Yokohama-shi, Kanagawa-ken, Japan 234-0051.

Ako Hatano's residence and Post Office address is 2-20-5-804 Nishiwaseda, Shinjuku-ku, Tokyo-to, Japan 162-0051.

9. 37 CFR 1.63(c)(2)

The foreign applications are Japanese patent No. 6-038157 filed *March 9,* 1994 and Japanese Patent 7-000704 filed January 6, 1995. Priority is claimed from these applications. *WPN*

10. 37 CFR 1.63(d)

This section is not applicable.

11. 37 CFR 1.63(e)

This section is not applicable.

B. 37 CFR 1.175(a)(1)

The applicants believe the original patent to be wholly or partly inoperative or invalid by reason of the patentee claiming more or less than the patentee had the right to claim in the patent.

The applicants seek to broaden the scope of the original claims. One error was the failure in US 5,929,466 to claim the subject matter of reissue claim 11, namely, a semiconductor device having, in addition to the subject matter of claim 1 of 5,929,466, a substrate, said buffer semiconductor layer being formed on said substrate, and said pinholes comprising exposed portions of said substrate through said buffer.

C. 37 CFR 1.175(a)(2)

All errors being corrected in the reissue application arose without any deceptive intention on the part of the applicants.

III. 37 CFR 1.175(b)

Every error addressed by the claims filed in the reissue application arose without any deceptive intention on the part of the applicant.

IV. 37 CFR 1.175(c)

This section provides no additional requirements.

V. 37 CFR 1.175(d)

This section is not applicable.

VI. Jurat

The inventors each declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Yasuo Ohba Yasuo Ohba
September 3, 2001 Date

Ako Hatano Ako Hatano
September 4, 2001 Date